

26-18a-1. Definitions.

As used in this chapter:

(1) "Children" or "child" means a person under the age of 18.

(2) "Committee" means the Kurt Oscarson Children's Organ Transplant Coordinating Committee.

(3) "Restricted account" means the Kurt Oscarson Children's Organ Transplant Account created in Section 26-18a-4.

Amended by Chapter 278, 2010 General Session

26-18a-2. Creation and membership of Kurt Oscarson Children's Organ Transplant Coordinating Committee -- Expenses.

(1) There is created the Kurt Oscarson Children's Organ Transplant Coordinating Committee.

(2) The committee shall have five members representing the following:

(a) the executive director of the Department of Health or his designee;

(b) two representatives from public or private agencies and organizations concerned with providing support and financial assistance to the children and families of children who need organ transplants; and

(c) two individuals who have had organ transplants, have children who have had organ transplants, who work with families or children who have had or are awaiting organ transplants, or community leaders or volunteers who have demonstrated an interest in working with families or children in need of organ transplants.

(3) (a) The governor shall appoint the committee members and designate the chair from among the committee members.

(b) (i) Except as required by Subsection (3)(b)(ii), each member shall serve a four-year term.

(ii) Notwithstanding the requirements of Subsection (3)(b)(i), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of the committee members are staggered so that approximately half of the committee is appointed every two years.

(4) A member may not receive compensation or benefits for the member's service, but, at the executive director's discretion, may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(5) The Department of Health shall provide support staff for the committee.

Amended by Chapter 286, 2010 General Session

26-18a-3. Purpose of committee.

(1) The committee shall work to:

(a) provide financial assistance for initial medical expenses of children who need organ transplants;

(b) obtain the assistance of volunteer and public service organizations; and
(c) fund activities as the committee designates for the purpose of educating the public about the need for organ donors.

(2) (a) The committee is responsible for awarding financial assistance funded by the restricted account.

(b) The financial assistance awarded by the committee under Subsection (1)(a) shall be in the form of interest free loans. The committee may establish terms for repayment of the loans, including a waiver of the requirement to repay any awards if, in the committee's judgment, repayment of the loan would impose an undue financial burden on the recipient.

(c) In making financial awards under Subsection (1)(a), the committee shall consider:

- (i) need;
- (ii) coordination with or enhancement of existing services or financial assistance, including availability of insurance or other state aid;
- (iii) the success rate of the particular organ transplant procedure needed by the child; and
- (iv) the extent of the threat to the child's life without the organ transplant.

(3) The committee may only provide the assistance described in this section to children who have resided in Utah, or whose legal guardians have resided in Utah for at least six months prior to the date of assistance under this section.

(4) (a) The committee may expend up to 5% of its annual appropriation for administrative costs associated with the allocation of funds from the restricted account.

(b) The administrative costs shall be used for the costs associated with staffing the committee and for State Tax Commission costs in implementing Section 59-10-1308.

Amended by Chapter 167, 2013 General Session

26-18a-4. Creation of Kurt Oscarson Children's Organ Transplant Account.

(1) There is created a restricted account within the General Fund known as the "Kurt Oscarson Children's Organ Transplant Account." Private contributions received under this section and Section 59-10-1308 shall be deposited into the restricted account to be used only for the programs and purposes described in Section 26-18a-3.

(2) Money shall be appropriated from the restricted account to the committee in accordance with Title 63J, Chapter 1, Budgetary Procedures Act.

(3) In addition to funds received under Section 59-10-1308, the committee may accept transfers, grants, gifts, bequests, or any money made available from any source to implement this chapter.

Amended by Chapter 278, 2010 General Session